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ABSTRACT

The booklet furnishes general information to the women of Maryland about the Equal Rights Amendment of the Maryland Constitution. One hundred and three questions and answers concerning women's rights are organized into four topics: (1) employment, including employment rights, labor laws, workmen's compensation, unemployment insurance, pregnancy disabilities, and social security; (2) marriage and divorce, including property rights, and transmission of property upon death; (3) finances, including credit, consumer laws, and housing; and (4) health, including health services and medicare/medicaid. Additional information sources are listed under the headings of discrimination, employment, legal matters, credit, consumer protection, family matters, health, and housing. (TRS)

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"Equality of rights under the law shall not be abridged or denied because of sex." Article 46, Declaration of Rights of the Maryland State Constitution.

The Equal Rights Amendment of the Maryland Constitution states that "Equality of rights under the law shall not be abridged or denied because of sex." This amendment does not automatically revise or repeal existing law. Statutes and case law which distinguish among individuals on the basis of sex, in violation of the amendment, will continue to be changed by legislative action or by individual challenges in the courts.

This booklet is intended to furnish general information to the women of the State of Maryland and is not intended to serve as legal advice. Insofar as possible, the material contained herein was current as of May 1982.

(Revised May 1982)

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WOMEN: KNOW YOUR RIGHTS

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EMPLOYMENT

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EMPLOYMENT RIGHTS

Q. **What are the provisions of the State and Federal Equal Employment Laws?**

A. State law prohibits discrimination on the basis of race, color, religion, ancestry or national origin, sex, age, marital status or physical or mental handicaps unrelated in nature and extent so as to reasonably preclude the performance of the employment. Also Maryland has an Equal Pay Act prohibiting discrimination in pay between males and females for substantially equal work.

Federal law prohibits discrimination on the basis of: race, color, religion, sex or national origin, age and unequal pay between men and women. Federal law also prohibits discrimination on the basis of handicap in federal employment.

The laws prohibit discrimination by employers, including State and local governments, labor unions and employment agencies. This applies to hiring, firing, promotions, leave benefits, pay, overtime, rest periods, and all other terms, benefits and conditions of employment. Employers with 15 or more employees are covered.

Q. **Can employers restrict jobs only to men or women?**

A. No, unless the employer can prove that sex is a "bonafide occupational qualification." This would be true only for a very few jobs.

Q. **Can an employer fire an employee or force her to take leave, simply because she is pregnant?**

A. A pregnant employee must be treated the same as other employees who have temporary disabilities. She should take leave and return to work in accordance with the rules applicable to other temporarily disabled employees. The pregnant employee is not automatically entitled to return to her job if the employer does not allow others to do so. For instance, some employers hire temporary employees to fill the jobs of disabled employees; others replace the absent employee and permit disabled employees to return only if their jobs are unfilled, or to whatever positions happen to be available at the time. The guiding rule is equality—not special privilege.

LABOR LAWS

Q. **Must male and female employees be paid the same wages for performing the same work?**

A. Yes. Male and female employees in the same establishment must receive equal pay for performing substantially equal work requiring equal levels of skill, effort and responsibility.

Q. **Under what circumstances can there be wage differentials?**

A. There can be wage differentials if the jobs require different skills or abilities, duties or shifts, and such wage rates reflect the difference in skills. Wages can also be unequal if based on criteria other than sex, such as "a seniority system, a merit system, a system which measures earnings by quantity or quality of production, or a differential based on any other factor than sex." If jobs are substantially similar in skill, effort, and responsibility there cannot be wage differentials.

Q. **When is time and a half to be paid?**

A. Maryland Wage and Hour Law requires payment of 1 ½ times the usual rate for any hours worked in excess of 40 hours during any work week. Exemptions to the overtime provisions include those employees of amusement or recreational establishments, including swimming pools; employees covered by the Federal Motor Carriers Act and the Interstate Commerce Act; employees of hotels, motels, or restaurants; those employed by auto retailers in sales, parts, or as mechanics; those employed at gasoline service stations; taxi drivers, the employees of bona fide country clubs; and certain state employees.

Employees of bowling alleys and institutions (other than hospitals) primarily engaged in the care of the sick, the aged, the mentally ill or defective who reside on the premises shall be paid time and one-half after 48 hours during any work week.

Q. **Is there a limit on the number of hours a woman can work per day or per week?**

A. While there are laws limiting the hours of workers in certain industries, those laws do not apply only to women. There are no laws which limit hours due to the gender of the worker.

Q. **What is Maryland's minimum wage rate?**

A. Maryland's minimum wage rate of $3.35 per hour applies to most occupations. The main exceptions are: certain agricultural workers; executives, administrative and professional employees; employees of educational, charitable, religious and other non-profit organizations; employees of restaurants, cafes, etc.; employees under 16 years of age working less than 20 hours per week; outside salespersons and individuals 62 years of age and working not more than 25 hours a week; employees of establishments engaged in the stages of canning, packing, or freezing of fruits, vegetables, poultry and seafood; the immediate family of the employer; those employees enrolled in a special educational program; and non-administrative employees of organized camps.

Q. **Are domestic workers covered under Federal and State minimum wage laws?**

A. Yes, domestic workers are covered under both laws. The Maryland law was amended in 1973 to include domestic workers and the Federal law was amended in 1974.

Q. **How often must employees be paid and in what form?**

A. Employees must be paid at least every two weeks or twice a month, unless they are paid on an hourly basis or are professionals or executives. Payment must be in the form of cash or check. However, the law does permit direct deposit to an employee's bank account if the employee agrees.

Q. **Generally, what do the Child Labor Laws cover?**

A. These laws cover the hours a minor can work per day and per week, and the kinds of jobs which are prohibited to those under 16 and 18 years of age.

UNEMPLOYMENT INSURANCE

Q. **What groups are covered by unemployment insurance in Maryland?**

A. Those employees who work in the private sector, for non-profit organizations, or in a state university or hospital are covered. As

of January 1, 1978 this group was expanded to include all state, county, and municipal employees, certain agricultural workers and certain domestic workers.

Q. **Can benefits be denied or delayed?**

A. Benefits may be delayed or denied if claimants are unable or unavailable for full-time work; have left work voluntarily without good cause; have failed, without good cause, to apply for or accept suitable work or to report for work; have been physically unable to continue their employment; their unemployment is due to a stoppage of work because of a labor dispute; they are receiving or filing for unemployment benefits under an unemployment insurance law of another state; or they are engaged in work which is considered self-employment.

Q. **When may an individual be entitled to allowances for dependents?**

A. A claimant may be entitled, in addition to his or her regular weekly benefit amount, to an allwance of $3 weekly for each dependent child under 16 years, up to a maximum of 4 children.

WORKMEN'S COMPENSATION

Q. **What are the circumstances under which a person is entitled to Workmen's Compensation?**

A. Most employees who lose time as a result of an accident at work or while performing a service for an employer are entitled to Workmen's Compensation.

Q. **Are household employees covered by Workmen's Compensation?**

A. Yes. Since January 1, 1976, all persons employed in private homes who "earn $250.00 or more in cash in any calendar quarter" must be covered by Workmen's Compensation.

Q. **Who is responsible for obtcining insurance coverage?**

A. The employer is responsible for obtaining insurance coverage, which can be obtained through an insurance agent. Failure to comply could subject employers to possible fines.

Q. **What expenses do such compensation payments cover?**

A. Compensation payments by the employer through the Workmen's Compensation Commission cover expenses for the time lost from work because of injury after the third day, and payments for any temporary, permanent, partial or total disability which arises as a result of injury, including disfigurement.

Q. **Is a retirement pension received by an individual deductible from benefits?**

A. Yes, under certain conditions. A retirement pension is deductible from benefits if it is paid by an employer for whom the claimant worked in the last 1 ¼ years. Half the amount of the pension payment is deducted from benefits if the claimant contributed some of the premiums and contributions to the pension fund; the entire amount is deducted if the employer paid all the premiums and contributions.

For further information and/or assistance, contact the nearest office of the Employment Security Administration. There is at least one full-time office of the Employment Security Administration in every county in the state.

PREGNANCY DISABILITY

Q. **What is pregnancy-related disability?**

A. Pregnancy-related disability refers to that period of time during pregnancy or after childbirth during which the woman is actually disabled. Doctor's certification could be required as to the disability.

Q. **What are the provisions of the State law?**

A. For employment purposes, an employer may provide temporary disability insurance or sick leave benefits for a pregnancy-related disability in the same manner and under the same conditions as for any other temporary disability.

Further, the law requires that insurers who provide group insurance policies for temporary disabilities must offer optional pregnancy-related benefits to the same extent and on the same terms as benefits for any other covered disability.

Q. **Is an employer required to provide disability benefits for pregnancy-related disabilities?**

A. No. If an employer does not provide benefits for other disabilities, then the employer does not have to provide benefits for pregnancy-related disabilities. If benefits are provided for other temporary disabilities of employees, the provision must include coverage for pregnancy-related disabilities.

Q. **What are the limits on pregnancy-related disability?**

A. Benefits for disabilities caused by a *normal* pregnancy or *normal* childbirth may be limited to *six weeks*. However, no special limitation may be applied to benefits for pregnancy-related complications, but only the same limitation as exists for other kinds of disability benefits.

Q. **Does the law affect maternity leave?**

A. Matenity leave, either paid or unpaid, is totally separate from the pregnancy disability laws, and should be controlled by the employer's policies on other long term leaves of absence.

For further information, the booklet ***Pregnancy Rights of Working Women in Maryland*** is available from the Maryland Commission for Women.

SOCIAL SECURITY

Q. **When may a woman receive Social Security benefits?**

A. Benefits are available to women and dependents under varying circumstances. If eligible, individuals are entitled to benefits in case of retirement, disability or death of the insured, including a burial allowance.

Q. **Are divorced women eligible for benefits based on their ex-husband's earnings?**

A. Divorced women are eligible for benefits only if the marriage lasts 10 years or more.

For more information, the following publications are available from any Social Security Office:

A Woman's Guide to Social Security
Your Social Security
Social Security Information for Young Families
If You Become Disabled

For help with questions and problems, write or visit your Social Security Office listed in the telephone directory under U.S. Government, Department of Health and Human Serices, Social Security Administration.

MARRIAGE AND DIVORCE

MARRIAGE

Q. **Where can a marriage license be obtained?**

A. A marriage license can be obtained from the Clerk of the Circuit Court in the county where the marriage will be performed. In Baltimore City, a license is obtained from the Clerk of the Court of Common Pleas.

Q. **Who must be present to apply for a marriage license?**

A. Either of the future spouses may apply in person for a marriage license, except in Cecil County where both parties must apply together.

Q. **How long must the couple wait after the time of application to be married?**

A. Forty-eight hours, unless special permission to marry earlier is granted by a judge.

Q. **What is the legal age to marry in the state?**

A. In order to marry without parental consent, a person must be 18 years of age.

Q. **To marry below this age, what conditions must be met?**

A. With parental consent, an individual may marry at 16-17 years of age. An individual 16 years of age or more, who shows a doctor's certificate that the female is pregnant or has given birth to a child, may marry without parental consent. An individual under 16 years of age must show a doctor's certificate and have parental consent in order to marry.

Q. **Are common law marriages valid?**

A. Common law marriages are not valid in Maryland. Only when the marriage is valid in another jurisdiction is it recognized in Maryland.

Q. **Does the husband have a legal obligation to support his family?**

A. Both parents have a legal obligation to provide support and maintenance for any child under 18 years of age. Each spouse

has a legal obligation to support the other based on the need of the dependent spouse and the ability to pay of the providing spouse.

Q. **Who has the right to decide where the family lives?**

A. Both spouses have equal rights in the determination and choice of where to live.

Q. **What action may be taken against a person who, without just cause, refuses or neglects to provide for the support of his or her family while living in the same house?**

A. A person may be prosecuted for non-support of a child or a spouse and be subject to fine or imprisonment. The court may order his or her employer to deduct a regular amount from his or her wages for support of a spouse and/or children.

Q. **If a husband beats his wife, must she continue to live with him in order to receive support?**

A. No, not if she can prove that his conduct was such as to justify her departure.

Q. **When does a woman forfeit the right to support?**

A. When a wife leaves her husband, through no fault of his, she forfeits the right to support. Their children still have the right to their father's support.

Q. **What action may be taken if threats or physical violence occur between spouses?**

A. If physical violence occurs, the State can intervene by taking legal action against the offending party. Complaints of assault can be directed to the local police or the abused spouse can apply to the District or Circuit Court for an order directing the abusing spouse out of the marital home for a limited period of time.

Q. **If a wife or husband is injured in a way that affects the marriage, can either one collect damages from the person who injured them?**

A. Yes. If either one is injured by a third person—a person other than the spouse—in a way that affects the marriage, either one may collect damages from the person responsible for the injury.

Q. **Is there a law stating that a woman is required to change her name when she marries?**

A. No. A woman has the right to use her birth given name after marriage for all legal and social purposes; the name must be used consistently.

DIVORCE

Q. **What kinds of divorce are available in Maryland?**

A. Two kinds: a partial divorce which is a judicial determination of separation, and an absolute divorce which actually dissolves the marriage.

Q. **What is a partial divorce?**

A. A partial divorce is granted by a court and usually includes an order for custody and support of children and support of spouse if appropriate. The husband and wife are legally separated but they are not free to remarry. If either party commits adultery during the period of separation, or after a period of three years of separation, the other may obtain a final decree of divorce.

Q. **What are the grounds for a partial divorce?**

A. Cruelty, excessively violent conduct, desertion, and mutual and voluntary separation.

Q. **What is an absolute divorce?**

A. An absolute divorce dissolves the marriage and the parties are free to remarry.

Q. **What are the grounds for an absolute divorce?**

A. Adultery; actual or constructive desertion lasting a year; voluntary and mutual separation for a year; separation for three years; impotence at the time of marriage; a jail sentence of over three years; imprisonment for 12 months following conviction; permanent and incurable insanity for three years; and certain other grounds which render a marriage void.

Q. **What are some conditions that must be met before an absolute divorce can be granted?**

A. The party seeking the divorce must be a resident of Maryland for at least a year before filing suit for divorce unless the grounds arise in Maryland.

. . .If the grounds are voluntary separation, *both* parties must agree to separate and then live apart without sexual relations for a year.

. . .If the grounds are three-year separation, it is not necessary for the parties to have *agreed* to separate—only that they live apart for three years. This is Maryland's only "no-fault" divorce.

Q. **Must the other party be notified when suit for divorce is filed and when the divorce is granted?**

A. Yes.

Q. **What questions may a court granting a divorce resolve?**

A. A divorce may resolve the questions of custody and support for the children and/or spouse, and division of property. The parties can always agree themselves as to these matters rather than allowing a judge to determine them.

Q. **Who gets custody of the children?**

A. Custody may go to either parent. The decision is based on the best interests of the child. If custody is not disputed, the parties can settle the matter by agreement. However, the court always makes the final decision on custody no matter how the parties agree. Also, custody is never final; it may be changed if circumstances change.

Q. **What is the effect of remarriage on the obligation to pay child support?**

A. None. Both parents have a legal duty to support their children until the children reach the age of 18.

Q. **When is a spouse entitled to alimony?**

A. Alimony is generally awarded when the divorce decree is granted, if the spouse is unable to provide for his or her needs. Temporary alimony can be obtained prior to the award of the final decree. She/he must have grounds for divorce.

Q. **What is the effect of remarriage upon alimony?**

A. Ordinarily, remarriage relieves the former spouse of any obligation to pay alimony to the remarried spouse, unless otherwise provided in a written agreement between the spouses.

Q. **What are the provisions of the marital property disposition law passed in 1978?**

A. The new marital property disposition law defines different property categories—marital property and family use property and the family home—and provides for the disposition of this property upon divorce or annulment. It is a very complicated statute and has changed the prior law substantially.

Q. **What is "marital property"?**

A. "Marital property" is all property, however titled, acquired by either or both spouses during their marriage. This may include among other things personal property, stocks and bonds, savings and checking accounts, real estate, business interests and pensions. Property acquired prior to the marriage, property acquired as an inheritance or gift to one of the spouses, or property excluded by valid agreement is not included.

Q. **When a couple is divorced or has its marriage annuled, how is marital property divided?**

A. The court determines the value of all marital property. In making a determination, the court may grant a monetary award to one or both spouses to adjust equities and rights of the parties. The court considers a list of factors, including the monetary and non-monetary contributions of each party to the well-being of the family and the circumstances and facts which contributed to the estrangement of the parties.

However, the court may award temporary use and possession of the family home and family use personal property to one of the parties which would defer a final settlement in these areas.

Q. **What is the "family home"?**

A. "Family home" is property which was used as the principal residence of the spouses when they lived together and which was owned or leased by at least one of the spouses. This property must be in use as a principal residence by at least one of the spouses and a minor child to be considered as the family home.

Q. **What is "family use personal property"?**

A. It is that tangible property, acquired during the marriage, owned by either spouse individually or owned jointly by both spouses, and used primarily for family purposes. It may include motor vehicles, furniture, furnishings, and household appliances.

Q. **How are the family home and family use personal property divided?**

A. The court has the authority to permit a spouse with custody of a minor child to have continued occupancy of the family home and possession and use of family use personal property.

In excercising its authority the court considers many factors, including the best interests of any minor child; and the interest of each spouse in continuing to use the family use personal property or in occupying the family home, or any portion of it, as a dwelling place.

Q. **Is there a limited period of time covering the award of possession and use of the family home or family use personal property?**

A. Any provision of any temporary or final order or decree concerning the family home or family use personal peroperty is subject to the terms and condtions set by the court and is limited to the period of time specified by the court. Such provisions are subject to modification or dissolution by the court, as circumstances may require.

Any order or decree or any modification thereof concerning the family home and/or family use personal property may be made for a time period *not to exceed three years.*

Q. **Upon termination of a use and possession order, how is the family home or family use personal property divided?**

A. Upon termination of a use and possession order, the court treats the family home and family use personal property as marital property, if it so qualifies, and the same factors that guide the division of the proceeds or value of marital property are considered in the division of the family home and family use personal property.

If the family home and/or items of family use personal property was acquired by one of the parties before marriage, or by inheritance or gift from a third party, the property will be awarded to the party who owns it.

Q. **After divorce may a woman resume her maiden or prior name?**

A. Yes, a woman may ask the court to permit her to resume her maiden or former name at the time of the final decree.

Q. **Does the Motor Vehicle Administration recognize a divorced person's change to a pre-marital name?**

A. Yes. Legislation passed in 1978 permits the Motor Vehicle Administration to recognize a divorced person's change to a pre-marital name. Divorced persons can resume their pre-marital names on their driver's licenses upon filing an affidavit or other proof of the prior name and the divorce.

PROPERTY RIGHTS OF WOMEN

Q. **What are the rights of women in business and civil matters?**

A. Women, whether single, married, separated or divorced can engage in business, enter into contracts and sue or be sued for breach of contract and wrongful acts (usually involving negligence, trespass or slander, committed by or against them).

Q. **What are the property rights of women?**

A. Women can hold and dispose of property of all types.

Q. **May a married woman own property in her own name?**

A. Yes, a married woman's property, which she may hold in her own name, includes anything belonging to her at the time of marriage and all the property she receives after marriage by purchase, gift, bequest and from her own skill and labor, provided she does not give this property to her husband or anyone else.

Q. **Is the property of a married woman protected from her husband's debts?**

A. Yes, except property transferred from husband to wife that creditors can prove was given to avoid payment of his debts.

Q. **Has a married woman the right to make contracts for purchase or sale of goods, for credit arrangements and for a home mortgage—as if she were single?**

A. Yes.

Q. **Under what circumstances is a husband liable for his wife's contracts or debts?**

A. A husband is liable for the debts or contracts of his wife, when she is acting as his agent.

A husband is not liable for contracts made by his wife in her own name.

PASSING OF PROPERTY UPON DEATH WITH AND WITHOUT A WILL

Q. **What are the most important reasons for making a will?**

A. The most important reasons for making a will are: to arrange for distribution of property; to choose the personal representative (executor) of the estate; to choose a guardian for minor children; to state any specific instructions the individual may want carried out; and to minimize tax consequences.

Q. **Who may make a will and how does it become valid?**

A. Any person over 18 years of age and legally competent may make a will by stating in writing the things to be accomplished by the will. The individual must sign the will or have another sign it in her presence and at the express direction of the individual. The will must be witnessed by two or more credible witnesses.

Q. **If a person dies without a will, how is the property divided if there is a surviving spouse?**

A. If the deceased left no valid will, the surviving spouse receives:

- one-half the estate if there are surviving children;

or

- one-half the estate if there are no surviving children, but the deceased left a surviving parent;

or

- the whole estate if there are no surviving children or parents.

Q. **Can a surviving spouse elect to take a share of the estate instead of the property left by a will?**

A. Yes. A surviving spouse may elect to take:

- a ⅓ share of the net estate, instead of the property left by a will, when there are surviving children;

or

- a ½ share of the net estate when there are no surviving children.

Q. **Can a wife be named personal representative or administrator of her husband's estate?**

A. Yes.

Q. **How does a widow get money for living expenses until her husband's estate is settled?**

A. The surviving spouse is entitled to receive an allowance from the estate of $1,000 and an additional allowance of $500 for each unmarried child under twenty-one. If the assets of the estate are sufficient, the personal representative may agree to advance additional funds.

Q. **When a husband dies, must a wife pay his debts?**

A. No. His estate must pay his debts.

Q. **What is the effect of a divorce upon a will?**

A. If the divorce occurs after the will is drawn, then all provisions of the will relating to the ex-spouse, and only such provisions are revoked.

Q. **Can a spouse be disinherited by a will?**

A. No. The spouse is entitled to elect a share as if no will were made unless there has been a divorce. On the other hand, children have no right to elect against a will.

For further information, the booklet ***The Legal Rights of Women in Marriage and Divorce in Maryland*** is available from the Maryland Commission for Women and the Women's Law Center, Baltimore.

FINANCES

CREDIT

Q. **What is credit?**

A. Credit is the priviledge of using money, goods or services before you pay for them.

Q. **What are the provisions of the new credit laws?**

A. Both the Maryland and federal laws prohibit discrimination in the granting of credit on the basis of sex, age, or marital status. This guarantees a woman the same access to credit as a man in the same financial situation.

Q. **How does a woman establish a credit history in her own name?**

A. The two most common ways of establishing a credit history are: first, apply to a department store for a charge account in your own name, make small purchases that you can afford and pay you monthly bill promptly; second, open a checking and/or savings account in your own name and make sure that you do not overdraw the account.

Q. **What factors does a lender consider in deciding whether to extend credit?**

A. A lender considers such facts as: ability to pay, size of income, amount of other indebtedness, indications of stability, assets and possessions and credit record.

Q. **Must a creditor count alimony and/or child support payments in deciding whether to extend credit?**

A. Yes, if the person receiving support receives it regularly and wishes to show it as a source of income, the creditor must include it as income.

Q. **What can you do if you are denied credit?**

A. If your application for credit is denied, write to the store, bank or finance company where you applied within 30 days of the time of denial and request an explanation.

If the denial was based on information given by a credit bureau, you can ask to review you file at the credit bureau and find out what information is in your credit file.

If you disagree with the information in your credit file, you have the right to ask the credit bureau to re-check the information and to remove it from the file if it is found to be incorrect. The credit bureau must then notify all creditors to whom the incorrect information was sent.

If the explanation you are given for the denial indicates that the creditor is relying on an improper reason for denying credit, e.g., sex, age, marital status, you might consider challenging the denial, either formally or informally. You should contact the Maryland Commission for Women or the Women's Law Center for suggestions as to how to proceed.

For further information, the following booklets are available: ***Women: Where Credit is Due***, from the Maryland Commission for Women, and ***The Legal Rights of Women in Credit in Maryland***, from the Women's Law Center.

CONSUMER LAWS

Q. **Is a consumer able to cancel a contract for goods and services which is signed in the home?**

A. Yes, in many cases.

Q. **How may the contract be cancelled?**

A. It may be cancelled within a period of three days by notifying the salesperson or business in writing of intention to cancel.

Q. **May the consumer recover her money?**

A. Yes, all deposits and down payments must be returned except for a small cancellation charge.

Q. **What is the status of unordered merchandise?**

A. Unordered merchandise may be kept and used without paying for it.

Q. **When does this law not apply?**

A. The law does not apply in the case of goods delivered to the wrong address, person, etc., by mistake on the part of the seller.

Q. **What is the referral sales plan?**

A. This is a type of sale in which the buyer is promised a reduction in the purchase price by means of a cash rebate, commission or credit if the seller is furnished with the names of other prospective buyers.

Q. **Is the referral sales plan illegal?**

A. Yes. A seller may not promise a prospective buyer of goods a reduction in price if she/he furnishes to the seller the names of other prospective buyers.

Q. **Are retail installment sales covered by law?**

A. Yes. Under the law, the seller must give the buyer certain information including statements of cash price, finance charges, balance owed, and number, amount and due date of payments. The contract must be in writing and the buyer must be given a copy signed by the seller. The seller is prohibited from discrimination because of sex, age, marital status, etc., of the buyer.

Q. **What are the provisions under which an attachment can be made on an individual's wages?**

A. Wages of persons who haven't paid bills can be taken by creditors of the wage earner under certain conditions. The greater of $120 a week or 75% of the wages may not be taken by creditors. Wages may only be taken after proper legal proceedings.

Q. **What are the responsibilities of the consumer who receives an unordered credit card?**

A. The consumer will not be responsible for its loss, theft, or unauthorized use, until the company has been notified of plans to use the card to obtain credit or until the consumer uses the card.

BE INFORMED . . BE ALERT . .

KNOW WHAT YOU ARE SIGNING

The power to sign or withhold your signature from a document is one of the most important powers you possess. Use it wisely.

DO

Do make sure you understand clearly what you are signing.
Do know the total cost of the item or service, the amount of interest, service charges and number and amount of payments to be made.
Do know with whom you are dealing.
Do get a copy of anything you sign.

DON'T

Don't be rushed into signing any contract.
Don't be afraid to ask questions.
Don't sign a blank contract.

HOUSING

Q. **Is discrimination in housing prohibited by law?**

A. Yes. Federal law prohibits discrimination in housing on the basis of sex, race, color, religion and national origin. State law prohibits discrimination on the basis of marital status as well.

Q. **Can a landlord refuse to rent an apartment to a man and woman who are living together but are not married?**

A. Yes.

Q. **How are credit and housing related?**

A. Credit is closely related to securing housing as it is often the main standard upon which a landlord's or lender's decision is based.

HEALTH

HEALTH

Q. **What information, counselling, referral and treatment services are available to all women?**

A. There are many services that focus on health concerns and problems that tend to affect women more than men. For example, see below for information concerning family planning. There are many other health issues that have their main impact on women, for example, breast, cervical and uterine cancer, lupus (an illness that, for some reason, strikes mostly women), and even some types of drug and substance addictions. If you have concerns about any of these or other problems, you should, of course, seek medical advice. In addition, you should check to see if an organization or group exists that can help, for example, the American Cancer Society, the Lupus Foundation of Maryland, and many other such groups.

Q. **Where can I get family planning information and services?**

A. Various family planning information and services are available through many private physicians, clinics, and hospitals, through local or county health departments, and at Planned Parenthood clinics throughout the State. Planned Parenthood and many of the other health care providers offer information, counselling and services for a full range of family planning services: pregnancy testing, birth control methods, abortion, voluntary sterilization, and infertility testing and treatment.

Q. **Can I get an abortion in Maryland?**

A. Yes. Abortion is a legal medical procedure in every state, although the Supreme Court has held that states are allowed to place some types of restrictions on when, where and how the procedure may be done. In Maryland, an abortion may be performed only by a licensed doctor. The earlier that an abortion is performed, the less complicated the procedure is and the fewer the restrictions. If you suspect that you are pregnant and would want to consider having an abortion, you should seek medical advice as soon as possible.

In Maryland, if a woman is eligible for Medicaid, Medicaid will pay for an abortion under certain limited circumstances, *i.e.*, if,

in the judgment of a doctor, the continuation of the pregnancy is likely to result in the death of the woman or will have a serious adverse effect on the woman's present or future physical health; if the woman is a victim of rape, sexual offense or incest that has been reported to a law enforcement agency or a public health or social service agency; if the fetus is determined to be affected by a genetic defect, serious deformity or abnormality; or if a doctor certifies that continuation of the pregnancy is having a serious and longlasting effect on the woman's mental health that is likely to continue if the pregnancy is carried to term.

Q. **Must a husband or parent consent before an abortion may be performed?**

A. The Supreme Court has said that a woman may not be forced to get her husband's consent before she can obtain an abortion. In the case of an unmarried minor, although parental *consent* is not required, it appears that it is legal to require parental *notification* before an abortion is performed. In Maryland, a physician may not perform an abortion for an unmarried minor without notifying her parents unless she is living apart from her parents and a reasonable attempt to notify them has been unsuccessful. The physician is not required to send this notice, however, if he or she believes that it would lead to the physical or emotional abuse of the minor.

Q. **Is voluntary sterilization legal in Maryland?**

A. Yes. Many hospitals and clinics perform both female and male sterilization procedures, both of which are permanent methods of birth control. Some types of these procedures can now be done on an out-patient basis requiring no hospital stay at all. Minors must have parental consent before a sterilization procedure may be performed.

Q. **What about medical treatment for minors?**

A. Minors may consent to their own medical treatment in most cases, and may also refuse medical treatment. No parental consent is required by law if taking time to obtain that parental consent would cause a delay in necessary treatment. In particular, Maryland law provides that a minor may consent to and receive treatment for veneral disease, sexual assault, alcoholism or drug abuse, mental or emotional problems and birth control

without parental consent (but see the specific provisions about abortion and sterilization discussed above). The treating physician or medical staff member *may*, but is not required to, *notify* the minor's parents that the minor is receiving or has received treatment.

MEDICARE AND MEDICAID

Q. **What are the Medicare and Medicaid Programs and how do they work?**

A. Medicare and Medicaid are government-financed health insurance programs that pay for some types of hospital and other medical services for eligible individuals.

Medicare is basically for senior citizens. The vast majority of people eligible for Medicare are those 65 years old or older who receive Social Security or railroad retirement benefits. Some disabled persons and persons with end stage renal (kidney) disease are eligible for Medicare regardless of age.

"Part A" Medicare benefits cover payment for many hospital and related health care services. A person age 65 or over who is receiving Social Security or railroad retirement benefits is automatically entitled to receive Medicare benefits (and a card to show that eligibility). No insurance premium payment is required and financial need is not a factor. Other persons who may be eligible for "Part A" Medicare benefits because of disability or kidney disease need to apply to become eligible. "Part A" Medicare coverage is also available to those over 65 who are not receiving Social Security or railroad retirement benefits, but these people must enroll in the Medicare program and pay an insurance premium.

"Part B" Medicare benefits supplement "Part A" benefits and cover such items as some doctors' services, outpatient clinic services, x-rays and other tests, physical therapy, ambulance service, some types of medical equipment, and other services and supplies. All persons who are entitled to receive "Part A" Medicare benefits are also entitled to receive "Part B" benefits, but, depending on such factors as income and age, a person *may* have to pay an insurance premium to become enrolled in "Part B."

Medicaid is a different program of health insurance that pays for

some medical care for low income people who are aged, blind, disabled or members of families with dependent children. Financial need is the key to eligibility for Medicaid benefits. To become eligible to receive Medicaid benefits, a person must apply and meet the Maryland Medicaid Program's rules about income, property and assets. In Maryland, no insurance premiums or fees are required of Medicaid recipients.

Neither Medicare nor Medicaid will pay for *every* hospital or medical service. Both programs have rules about what types of services are covered and how payment will be made. If you have questions about your eligibility for either or both Medicare or Medicaid, or are concerend about what medical services are covered, contact your local Department of Social Services for information.

SOURCES OF INFORMATION

FOR ADDITIONAL INFORMATION AND ASSISTANCE

Consult your telephone directory for numbers and locations. Many are listed in the yellow pages of the telephone directory under "Government Offices—City," "Government Offices—County," and "Government Offices—State of Maryland."

ABOUT DISCRIMINATION:

Baltimore City Community Relations Commission
County Human Relations Commissions
Equal Employment Opportunity Commission
Maryland Commission on Human Relations
National Labor Relations Board
Office of Federal Contract Compliance
U.S. Civil Service Commission
U.S. Commission on Civil Rights
Wage and Hour Division, U.S. Department of Labor

ABOUT EMPLOYMENT:

Center for Displaced Homemakers
Division of Vocational Rehabilitation of the State Department of Education
Maryland Department of Human Resources
Maryland Division of Labor and Industry
New Directions for Women
Workmen's Compensation Commission (Injury on job)

ABOUT LEGAL MATTERS:

City or County Bar Association
Family Lawyer
Lawyer Referral Service
Legal Aid Bureau, Inc.
Legal Services Program
Women's Bar Association
Women's Law Center, Inc.

ABOUT CREDIT:

Commissioner of Consumer Credit
Consumer Credit Counseling Service of Greater Baltimore, Inc.
Credit Bureau of Baltimore, Inc.
Credit Bureau of Maryland

ABOUT CONSUMER PROTECTION:

Baltimore Urban League
Better Business Bureau
Chamber of Commerce
Commissioner of Consumer Credit
State Consumer Protection Division, Office of the State's Attorney

ABOUT FAMILY MATTERS:

City or County Department of Social Services
Family doctor, lawyer, minister, priest, or rabbi
Family Service Agency (Social Service and Welfare Organization)
Health and Welfare Council (Information and Referral Service)

ABOUT HEALTH:

City or County Health Department
Family doctor
Florence Crittenton Services
Hospitals—Department of Social Services
Johns Hopkins Hospital Walk-In Clinic and Community Center
People's Free Medical Clinic
Planned Parenthood

ABOUT HOUSING:

Department of Housing and Community Development
Housing Section, Civil Rights Division of the U.S. Department of Justice

Maryland Commission for Women

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